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U.S. expected to put limits on recognizing World Court

By Ed Rogers
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The United States is expected to declare within a few days — perhaps today or tomorrow — that it will no longer recognize unqualified World Court jurisdiction, sources said yesterday.

State Department officials declined public comment.

The Reagan administration has expressed dissatisfaction with the court, based at The Hague, since it assumed jurisdiction over a complaint filed against the United States by the Marxist Sandinista government in Nicaragua.

Nicaragua is seeking \$375 million in compensation for damage it claims was inflicted by resistance fighters backed by the United States,

and for the United States mining of Nicaraguan harbors to discourage Soviet and Cuban arms shipments to Nicaragua.

Such a declaration by the United States would bring it in line with a majority of the world's nations; fewer than one-third of the nations of the world now recognize World Court jurisdiction over international disputes.

The administration withdrew from the Nicaragua case by renouncing the World Court's jurisdiction over a conflict that arose politically and, the U.S. government said, was outside the boundaries of international law.

That case is still before the court with no immediate resolution in sight. Apparently, the administration intended to ignore any penalty

the court might ultimately decide to impose against the United States on Nicaragua's behalf.

The court, officially called the International Court of Justice, announced in November 1984 that it was assuming jurisdiction in the Nicaraguan case. The administration announced last January that it would not participate in the proceedings.

The State Department said it believed the World Court was "determined to find in favor of Nicaragua."

"Nicaragua is in the middle of a

propaganda blast, and it has chosen the World Court as its forum," Elliott Abrams, assistant secretary of state for inter-American affairs, said at that time.

"They [Nicaraguans] are putting out an awful lot of lies," he added.

Another State Department official said, "We profoundly hope the court does not go the way of other international organizations that have become politicized against the interests of Western democracies."

The judges of the World Court are appointed by the U.N. General Assembly and generally reflect prevailing positions of that body.

Former United Nations Ambassador Jeane J. Kirkpatrick recently pointed out that another provocation has arisen from the fact that U.S. private lawyers are appearing before the court as witnesses on Nicaragua's behalf.

Among them are Abram Chayes, a Harvard law professor who served as a State Department legal adviser during the Kennedy administration, and David MacMichael, who recently held top-secret clearance as a contract employee for the CIA.

Yet another American who is acting as a witness for Nicaragua is Michael J. Glennon, a law professor at the University of Cincinnati.

The administration says the Sandinistas have limited sharply personal freedom in Nicaragua, armed the country for aggression and smuggled arms to Marxist rebels in El Salvador.

But the administration's objection to the World Court taking Nicaragua's case against the United States was based on a view that the matter was a political one that is not subject to any form of judicial resolution.

The administration had sought to resolve its concerns about possible Marxist takeovers in other Central American countries through negotiations with the Sandinistas.

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